

Preliminary Classification:

Proposed Class:

Subclass:

NOTE: "All applicants are requested to include a preliminary classification on newly filed patent applications. The preliminary classification, preferably class and subclass designations, should be identified in the upper right-hand corner of the letter of transmittal accompanying the application papers, for example 'Proposed Class 2, subclass 129.'" M.P.E.P. § 601, 7th ed.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

## NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Edmund A. Gress

**WARNING:** 37 C.F.R. § 1.41(a)(1) points out:

"(a) A patent is applied for in the name or names of the actual inventor or inventors.

"(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(f) is filed supplying or changing the name or names of the inventor or inventors."

For (title):

**CERTIFICATION UNDER 37 C.F.R. § 1.10\****(Express Mail label number is mandatory.)**(Express Mail certification is optional.)*

I hereby certify that this New Application Transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service on this date October 20, 2000, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL628639510US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Janet Gaffney*(type or print name of person mailing paper)*Janet Gaffney*Signature of person mailing paper*

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(New Application Transmittal [4-1]—page 1 of 11)

## 1. Type of Application

This new application is for a(n)

(check one applicable item below)

☒ Original (nonprovisional)

☐ Design

☐ Plant

**WARNING:** Do not use this transmittal for a completion in the U.S. of an International Application under 35 U.S.C. § 371(c)(4), unless the International Application is being filed as a divisional, continuation or continuation-in-part application.

**WARNING:** Do not use this transmittal for the filing of a provisional application.

**NOTE:** If one of the following 3 items apply, then complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED and a NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION APPLICATION.

☐ Divisional.

☐ Continuation.

☐ Continuation-in-part (C-I-P).

## 2. Benefit of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

**NOTE:** A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America. In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of 35 U.S.C. § 112. Each prior application must also be:

(i) An international application entitled to a filing date in accordance with PCT Article 11 and designating the United States of America; or

(ii) Complete as set forth in § 1.51(b); or

(iii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and include the basic filing fee set forth in § 1.16; or

(iv) Entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(f) within the time period set forth in § 1.53(f).

37 C.F.R. § 1.78(a)(1).

**NOTE:** If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., or benefit of a prior provisional application is claimed, then check the following item and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

**WARNING:** If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120, 121 or 365(c). (35 U.S.C. § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. §§ 119, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

(New Application Transmittal [4-1]—page 2 of 11)

**WARNING:** When the last day of pendency of a provisional application falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, any nonprovisional application claiming benefit of the provisional application must be filed prior to the Saturday, Sunday, or Federal holiday within the District of Columbia. See 37 C.F.R. § 1.78(a)(3).

- ☐ The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

### 3. Papers Enclosed

**A.** Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

16 Pages of specification + title page

5 Pages of claims

3 Sheets of drawing

**WARNING:** DO NOT submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be on strong, white, smooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. For comments on proposed then-new 37 C.F.R. § 1.84, see Notice of March 9, 1988 (1990 O.G. 57-62).

**NOTE:** "Identifying indicia, if provided, should include the application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application. This information should be placed on the back of each sheet of drawing a minimum distance of 1.5 cm. (5/8 inch) down from the top of the page . . ." 37 C.F.R. § 1.84(c).

(complete the following, if applicable)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. § 1.84(b).

☒ formal

☐ informal

**B.** Other Papers Enclosed

7 Pages of declaration and power of attorney

1 Pages of abstract

     Other

### 4. Additional papers enclosed

☐ Amendment to claims

☐ Cancel in this applications claims \_\_\_\_\_ before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

☐ Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)

☐ Preliminary Amendment

☒ Information Disclosure Statement (37 C.F.R. § 1.98)

☒ Form PTO-1449 (PTO/SB/08A and 08B)

☒ Citations

- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments
- ☐ Other

**5. Declaration or oath (including power of attorney)**

**NOTE:** A newly executed declaration is not required in a continuation or divisional application provided that the prior nonprovisional application contained a declaration as required, the application being filed is by all or fewer than all the inventors named in the prior application, there is no new matter in the application being filed, and a copy of the executed declaration filed in the prior application (showing the signature or an indication thereon that it was signed) is submitted. The copy must be accompanied by a statement requesting deletion of the names of person(s) who are not inventors of the application being filed. If the declaration in the prior application was filed under § 1.47, then a copy of that declaration must be filed accompanied by a copy of the decision granting § 1.47 status or, if a nonsigning person under § 1.47 has subsequently joined in a prior application, then a copy of the subsequently executed declaration must be filed. See 37 C.F.R. §§ 1.63(d)(1)–(3).

**NOTE:** A declaration filed to complete an application must be executed, identify the specification to which it is directed, identify each inventor by full name including family name and at least one given name, without abbreviation together with any other given name or initial, and the residence, post office address and country or citizenship of each inventor, and state whether the inventor is a sole or joint inventor. 37 C.F.R. § 1.63(a)(1)–(4).

**NOTE:** "The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.62, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(j) is filed supplying or changing the name or names of the inventor or inventors." 37 C.F.R. § 1.41(a)(1).

☒ Enclosed

Executed by

(check all applicable boxes)

☒ inventor(s).

☐ legal representative of inventor(s).  
37 C.F.R. §§ 1.42 or 1.43.

☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

☐ This is the petition required by 37 C.F.R. § 1.47 and the statement required by 37 C.F.R. § 1.47 is also attached. See item 13 below for fee.

☐ Not Enclosed.

**NOTE:** Where the filing is a completion in the U.S. of an International Application or where the completion of the U.S. application contains subject matter in addition to the International Application, the application may be treated as a continuation or continuation-in-part, as the case may be, utilizing ADDED PAGE FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.

☐ Application is made by a person authorized under 37 C.F.R. § 1.41(c) on behalf of all the above named inventor(s).

(The declaration or oath, along with the surcharge required by 37 C.F.R. § 1.16(e) can be filed subsequently).

- ☐ Showing that the filing is authorized.  
(not required unless called into question. 37 C.F.R. § 1.41(d))

## 6. Inventorship Statement

**WARNING:** If the named inventors are each not the inventors of all the claims an explanation, including the ownership of the various claims at the time the last claimed invention was made, should be submitted.

The inventorship for all the claims in this application are:

- ☒ The same.

or

- ☐ Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,  
☐ is submitted.  
☐ will be submitted.

## 7. Language

**NOTE:** An application including a signed oath or declaration may be filed in a language other than English. An English translation of the non-English language application and the processing fee of \$130.00 required by 37 C.F.R. § 1.17(k) is required to be filed with the application, or within such time as may be set by the Office. 37 C.F.R. § 1.52(d).

- ☒ English  
☐ Non-English  
☐ The attached translation includes a statement that the translation is accurate. 37 C.F.R. § 1.52(d).

## 8. Assignment

- ☐ An assignment of the invention to \_\_\_\_\_  
\_\_\_\_\_  
☐ is attached. A separate ☐ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.  
☐ will follow.

**NOTE:** "If an assignment is submitted with a new application, send two separate letters—one for the application and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).

**WARNING:** A newly executed "CERTIFICATE UNDER 37 C.F.R. § 3.73(b)" must be filed when a continuation-in-part application is filed by an assignee. Notice of April 30, 1993, 1150 O.G. 62-64.

(New Application Transmittal [4-1]—page 5 of 11)

## 9. Certified Copy

Certified copy(ies) of application(s)

Country	Appln. No.	Filed
Country	Appln. No.	Filed
Country	Appln. No.	Filed

from which priority is claimed

- ☐ is (are) attached.  
☐ will follow.

NOTE: The foreign application forming the basis for the claim for priority must be referred to in the oath or declaration. 37 C.F.R. § 1.55(a) and 1.63.

NOTE: This item is for any foreign priority for which the application being filed directly relates. If any parent U.S. application or International Application from which this application claims benefit under 35 U.S.C. § 120 is itself entitled to priority from a prior foreign application, then complete item 18 on the ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

## 10. Fee Calculation (37 C.F.R. § 1.16)

A. ☒ Regular application

CLAIMS AS FILED						
Number filed	Number Extra		Rate		Basic Fee 37 C.F.R. § 1.16(a)	
					<del>\$520.00</del>	\$710.00
Total Claims (37 C.F.R. § 1.16(c))	20	— 20 =	0	×	\$ 18.00	-0-
Independent Claims (37 C.F.R. § 1.16(b))	2	— 3 =	0	×	\$ 78.00	-0-
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			+		\$260.00	

- ☐ Amendment cancelling extra claims is enclosed.  
☐ Amendment deleting multiple-dependencies is enclosed.  
☐ Fee for extra claims is not being paid at this time.

NOTE: If the fees for extra claims are not paid on filing they must be paid or the claims cancelled by amendment, prior to the expiration of the time period set for response by the Patent and Trademark Office in any notice of fee deficiency. 37 C.F.R. § 1.16(d).

Filing Fee Calculation \$ 710.00

B. ☐ Design application  
(\$310.00—37 C.F.R. § 1.16(f))

Filing Fee Calculation \$

- C. ☐ Plant application  
(\$480.00—37 C.F.R. § 1.16(g))

Filing fee calculation

\$ \_\_\_\_\_

**11. Small Entity Statement(s)**

- ☐ Statement(s) that this is a filing by a small entity under 37 C.F.R. § 1.9 and 1.27 is (are) attached.

**WARNING:** "Status as a small entity must be specifically established in each application or patent in which the status is available and desired. Status as a small entity in one application or patent does not affect any other application or patent, including applications or patents which are directly or indirectly dependent upon the application or patent in which the status has been established. The refiling of an application under § 1.53 as a continuation, division, or continuation-in-part (including a continued prosecution application under § 1.53(d)), or the filing of a reissue application requires a new determination as to continued entitlement to small entity status for the continuing or reissue application. A nonprovisional application claiming benefit under 35 U.S.C. § 119(e), 120, 121, or 365(c) of a prior application, or a reissue application may rely on a statement filed in the prior application or in the patent if the nonprovisional application or the reissue application includes a reference to the statement in the prior application or in the patent or includes a copy of the statement in the prior application or in the patent and status as a small entity is still proper and desired. The payment of the small entity basic statutory filing fee will be treated as such a reference for purposes of this section." 37 C.F.R. § 1.28(a)(2).

**WARNING:** "Small entity status must not be established when the person or persons signing the . . . statement can unequivocally make the required self-certification." M.P.E.P., § 509.03, 6th ed., rev. 2, July 1996 (emphasis added).

(complete the following, if applicable)

- ☐ Status as a small entity was claimed in prior application

\_\_\_\_\_ / \_\_\_\_\_, filed on \_\_\_\_\_, from which benefit is being claimed for this application under:

- 35 U.S.C. § ☐ 119(e),  
☐ 120,  
☐ 121,  
☐ 365(c),

and which status as a small entity is still proper and desired.

- ☐ A copy of the statement in the prior application is included.

Filing Fee Calculation (50% of A, B or C above)

\$ 355.00

**NOTE:** Any excess of the full fee paid will be refunded if small entity status is established and a refund request are filed within 2 months of the date of timely payment of a full fee. The two-month period is not extendable under § 1.136. 37 C.F.R. § 1.28(a).

**12. Request for International-Type Search (37 C.F.R. § 1.104(d))**

(complete, if applicable)

- ☐ Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

**13. Fee Payment Being Made at This Time**

- ☐ Not Enclosed
- ☐ No filing fee is to be paid at this time.  
(This and the surcharge required by 37 C.F.R. § 1.16(e) can be paid subsequently.)

☒ Enclosed

- ☒ Filing fee \$ 355.00
- ☐ Recording assignment  
(\$40.00; 37 C.F.R. § 1.21(h))  
(See attached "COVER SHEET FOR  
ASSIGNMENT ACCOMPANYING NEW  
APPLICATION".) \$ \_\_\_\_\_
- ☐ Petition fee for filing by other than all the  
inventors or person on behalf of the inventor  
where inventor refused to sign or cannot be  
reached  
(\$130.00; 37 C.F.R. §§ 1.47 and 1.17(l)) \$ \_\_\_\_\_
- ☐ For processing an application with a  
specification in  
a non-English language  
(\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k)) \$ \_\_\_\_\_
- ☐ Processing and retention fee  
(\$130.00; 37 C.F.R. §§ 1.53(d) and 1.21(l)) \$ \_\_\_\_\_
- ☐ Fee for international-type search report  
(\$40.00; 37 C.F.R. § 1.21(e)) \$ \_\_\_\_\_

NOTE: 37 C.F.R. § 1.21(l) establishes a fee for processing and retaining any application that is abandoned for failing to complete the application pursuant to 37 C.F.R. § 1.53(f) and this, as well as the changes to 37 C.F.R. §§ 1.53 and 1.78(a)(1), indicate that in order to obtain the benefit of a prior U.S. application, either the basic filing fee must be paid, or the processing and retention fee of § 1.21(l) must be paid, within 1 year from notification under § 53(f).

Total fees enclosed \$ 355.00

**14. Method of Payment of Fees**

- ☒ Credit Card Payment Form 355.00
- ☒ Check in the amount of \$ 355.00
- ☐ Charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_

A duplicate of this transmittal is attached.

NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. § 1.22(b).



## 15. Authorization to Charge Additional Fees

**WARNING:** If no fees are to be paid on filing, the following items should not be completed.

**WARNING:** Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges, if extra claim charges are authorized.

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 23-0442.

☒ 37 C.F.R. § 1.16(a), (f) or (g) (filing fees)

☒ 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)

**NOTE:** Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

☒ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☒ 37 C.F.R. § 1.17(a)(1)–(5) (extension fees pursuant to § 1.136(a)).

☒ 37 C.F.R. § 1.17 (application processing fees)

**NOTE:** “. . . A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission.” 37 C.F.R. § 1.136(a)(3).

☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))

**NOTE:** Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).

**NOTE:** 37 C.F.R. § 1.28(b) requires “Notification of any change in status resulting in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . the issue fee. . . .” From the wording of 37 C.F.R. § 1.28(b), (a) notification of change of status must be made even if the fee is paid as “other than a small entity” and (b) no notification is required if the change is to another small entity.

(New Application Transmittal [4-1]—page 9 of 11)

**16. Instructions as to Overpayment**

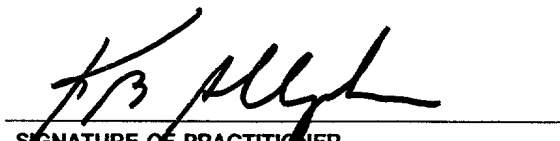
*NOTE: "... Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).*

- ☒ Credit Account No. 23-0442  
☐ Refund

Reg. No. 30,927

Tel. No. (203) 261-1234

Customer No. 004955



**SIGNATURE OF PRACTITIONER**

K. Bradford Adolphson

Ware, Fressola, Van der Sluys & Adolphson LLP

*(type or print name of attorney)*

Bradford Green, Building 5, 755 Main Street

P.O. Address

P.O. Box 224, Monroe, CT 06468



10-23-00



Practitioner's Docket No. 814-081-2-1

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Edmund A. Gress  
Application No.: 0 / Group No.:  
Filed: herewith Examiner:  
For: METHOD AND APPARATUS FOR CARD GAME

Assistant Commissioner for Patents  
Washington, D.C. 20231

**EXPRESS MAIL CERTIFICATE**

"Express Mail" label number EL628639510US

Date of Deposit October 20, 2000

I hereby state that the following *attached* paper or fee

Self-addressed, stamped postcard;  
New Application Transmittal with:  
Specification - 16 pages + title page;  
Claims - 5 pages;  
Abstract - 1 page;  
Drawings - 3 sheets;  
Combined Declaration/Power of Attorney;  
Information Disclosure Statement w/references; and  
\$355.00 fee - Credit Card Payment Form.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Janet Gaffney

Typed or printed name of person mailing paper or fee

Janet Gaffney

Signature of person mailing paper or fee

**NOTE:** The label number need not be placed on each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.

(Express Mail Certificate [8-3])

PATENT  
Attorney Docket  
No. 814-081-2-1

S P E C I F I C A T I O N

TO ALL WHOM IT MAY CONCERN:

Be it known that I, Edmund A. Gress, a citizen of the United States of America, and resident of Norwalk, in the County of Fairfield and State of Connecticut, have invented certain New and Useful Improvements in a

METHOD AND APPARATUS FOR CARD GAME

of which the following is a specification:

EXPRESS MAIL NO.

EL628639510US

## **METHOD AND APPARATUS FOR CARD GAME**

### **CROSS REFERENCE TO RELATED APPLICATION**

This application claims the benefit of U.S. Provisional Application Serial No. 60/208,532 filed on June 1, 2000.

### **BACKGROUND OF THE INVENTION**

#### **1. Technical Field**

The present invention relates generally to card games and methods of playing the same. More particularly, it relates to a card game related to the sport of wrestling and a method of playing the same.

#### **2. Description of the Background Art**

There have been a number of card games developed for simulating various sporting events including wrestling matches. Two patents which depict simulated wrestling matches are U.S. Patent Nos. 4,861,031 and 5,163,688, both by inventor Cosmian E. Simms. These patents describe cards with images of various wrestling maneuvers thereon. The players determine the sequence to display their cards in order to gain a strategic advantage during play. While the games described in U.S. Patent Nos. 4,861,031 and 5,163,688 do simulate wrestling matches, they do not take advantage of the burgeoning popularity of professional wrestling today as they do not use any of the images or statistics of actual wrestlers.

## **SUMMARY OF THE INVENTION**

It is an object of the present invention to provide a novel apparatus and method for playing card games simulating wrestling matches which overcome the drawbacks of the prior art games.

It is also an object to provide such an apparatus and method in which playing cards having information thereon which is compared to determine the winner of the games.

Still another object is to provide such an apparatus and method in which the information on the playing cards includes rankings, statistics, a total amount of punishment rating and wrestling move punishment ratings for the depicted wrestlers.

A further object is to provide such an apparatus and method which may be easily used by persons of all ages.

It has now been found that the foregoing and related objects can be readily attained in an apparatus for playing various competitive card games simulating wrestling matches which includes a plurality of playing cards with each card representing a specific wrestler and having indicia thereon representing various information about the wrestler. The information on the cards is used and compared during the playing of the competitive card games to determine a winner of the card games.

Desirably, the information on each card includes an image of a specific wrestler thereon. The information on each card could also include (1) a ranking of the specific wrestler represented thereon; (2) a rating of total amount of punishment that the specific wrestler represented thereon can sustain; (3) a rating of punishment of each move that the specific wrestler represented thereon can inflict on an

opponent; and (4) statistics of the specific wrestler. The statistics are chosen from a group consisting of height, weight, number of titles, bicep/tricep size, chest size and crowd appeal.

In using the apparatus to perform the method for playing various competitive card games simulating wrestling matches, the plurality of playing cards are separated into a number of stacks corresponding to players playing the game and a card from the stack of each player is selected and information on the selected cards are compared to determine a winner of the card game.

In one embodiment of the method, the rankings of the wrestlers represented on the selected cards are compared and the player with the card having the lowest ranking wins the cards of the other player(s).

In another embodiment of the method, the comparing step includes each player sequentially selecting wrestling moves to be performed from the selected card of the player and subtracting the ratings of punishment of the selected wrestling moves from the ratings of total amount of punishment of the selected card of the other player until one of the players depletes the total amount of punishment of the other player.

In yet another embodiment of the method, during the comparison step, at least one of the statistics of the wrestlers represented on the selected cards are compared and the player with the card having the highest statistic wins the cards of the other player(s).

The invention will be fully understood when reference is made to the following detailed description taken in conjunction with the accompanying drawings.

**BRIEF DESCRIPTION OF THE DRAWINGS**

FIGS. 1-3 are bottom views of various playing cards of the present invention showing the face sides thereof.



## DETAILED DESCRIPTION OF THE INVENTION

With particular reference to FIGS. 1-3, three different exemplary cards made in accordance with the present invention are illustrated and generally designated by the numerals 10, 12 and 14, respectively. Each of the cards 10, 12 and 14 has an image 16 of a respective wrestler thereon. The wrestler's image 16 could be a photograph or a drawing as desired.

The cards 10, 12 and 14 have various indicia thereon used in playing card games simulating a wrestling match. Centered directly above the wrestler's image 16 on each card is the name 18 of the wrestler. On these cards 10, 12 and 14, the wrestlers are named John Doe, Joshua Doe and Joey Doe, respectively. To the left of the wrestler's name 18 is the wrestler's ranking 20 and to the right of the name is the wrestler's POP 22 or "Points of Pain" which represents the wrestler's overall ability to accept pain from punishment from his opponent. Below the wrestler's image 16 on the left side of each card 10, 12 and 14 is a chart 24 of statistics about the wrestler. These statistics can include height, weight, number of titles, bicep/tricep measurement, chest size and crowd appeal. On the right side of each of the cards below the wrestler's image 16 is a chart 26 of different wrestling moves or maneuvers the wrestler can employ during the course of a wrestling match and the amount of POP or "Points of Pain" each move will inflict on his opponent. The purpose and meaning of the various indicia on the cards 10, 12 and 14 will become clear upon further explanation of the method of use of the cards 10, 12 and 14 as provide hereinafter. It should be noted that the wrestler's ranking, total "Points of Pain", crowd appeal and "Points of Pain" for moves are assigned to each depicted wrestler arbitrarily by the manufacturer of the card. The remaining statistics on each of the wrestlers could also be arbitrarily created by the manufacturer if the

wrestlers are fictional but also can be based on the statistics of actual wrestlers.

Having described the cards 10, 12 and 14, the use of the cards 10, 12 and 14 will now be explained. Although only three cards are shown in the drawings, it should be understood that a plurality of such cards could be made to produce a set of cards. Each card in a set of cards used in any one of the following games would depict a different wrestler.

For the following four games described, the object is to defeat your opponent(s) and gain his/their card(s). Each player supplies his own cards to be used in play.

#### Wrestler's Statistical Series:

One method of using the cards is the Wrestler's Statistical Series in which the object of the game is to gain the opponent's cards by picking a statistical category in which your wrestler has an advantage over the opponent's wrestler and, after comparison, to win his card. For Wrestler's Statistical Series, each player will hold their cards with the statistics of his wrestler facing him, and in such a manner so that at the same time the player's opponent(s) cannot see his card's statistics. Listed in the chart 24 of each of the cards are statistics about the wrestler who appears on the card. These statistics include height, weight, number of titles, bicep/tricep measurement, chest measurement, and a rating of the wrestler's crowd appeal. The match begins by choosing one player (e.g. Player A) to play first by a fair method such as flipping a coin, or highest roll of a die. Both players look at the top card in their own stack of cards but do not reveal the card to their opponent. Player A then orally chooses a category from the statistic chart 24 on his top card in which he believes his wrestler has an advantage. The players then call out the statistic on their top cards from the chosen statistical

category and determine the winner of the round based on the higher statistic. The winner retains both cards. For example, if Player A's top card was card 10 (i.e. John Doe), he might choose Height as his category as John Doe's height is six feet, ten inches (6' 10"). If Player B then had card 14, (i.e. Joey Doe), who is only six foot, two inches (6' 2"), then Player A would win the round and both cards. If, however, Player B had card 12 which is the seven foot, two inches (7' 2") Joshua Doe, then Player B would win the round and both cards. If a tie occurs, then Player B calls out "Reversal" and chooses a different category from his same card to be compared against Player A's same card. The winner of the 'reversal' comparison wins the round and both cards. If both players tie in all categories, which would occur if both players' card happens to be the same wrestler, then both players need to agree to put their cards back in their stacks in a random place, or to leave those cards to be won by the next round's winner. In this case, the caller of the next round is the caller of the original round. The won cards are then placed to the side of the winner to be used again if both players chose to keep playing after all the cards in their original stacks have been used.

The winner of the round continues the game by choosing a category from the next card in his stack. Play continues until all the cards in the stack are played and the player with the most cards wins the game, or until one player has won all the cards, or until all the players agree to stop playing. It should be noted that, if desired, before play starts, players can be allowed to position their cards in their stack to achieve a maximum advantage, and that the players do not have to start with the same number of cards.

If three or more people choose to play, then all the rules remain the same except in the case of ties. In the case of a tie, only those players whose cards are tied continue, the loser(s) forfeit their card(s), and those cards become

part of the eventual winner's purse. Also note that the tie must be the best statistic, if not the tie does not matter. The cards are won by the player with the best statistic. Such as, two players have card 10 (i.e. John Doe), and one player has card 12 (i.e. Joshua Doe), and the category being called is Height. The player with card 12 wins the round and all the cards played in that round. The tie of the lower height statistic of card 10 does not matter. In three or more people play, the order goes in a clockwise direction from the player who has won the original category statistical to call. The first player involved in the tie, (the first player to the left involved in the tie) is the player to call "Reversal" and chose the new category. Then play continues as usual.

#### Flip-Off:

Another method of using the cards is Flip-Off which can be played between two or more players. If two players are playing, each of the players begins with as many cards as he wishes to play face up in his stack so that both players know which card is being played by both players in each round. A match begins with two players standing opposite and facing each other, each holding one of his cards by the edge(s). The players then release their cards by allowing their cards to tumble end-over-end to the floor. The winner of the round is the player whose card lands face up. If both cards land face up, the wrestler's ranking determines the winner. The higher ranking (i.e. the lower number) wins the round and both cards. The wrestler's ranking is found in the upper left hand corner of each card. For example, if Player A's card was card 12 (i.e. Joshua Doe) who has Ranking 2 and Player B then had card 14 (i.e. Joey Doe) who has Ranking 3, then Player A would win the round and both cards. If, however, Player B had card 10 (i.e. John Doe) with Ranking 1, then Player B would win the round and both cards. In some instances, the players might be using the card of the same wrestler, so the players must be watchful of which cards are theirs during Flip-Off. If both

cards land face up and have the same Ranking, then the players can either leave those cards in the "ring" for the winner of the next round, or they can reflip the original cards that were involved in the tie. If both cards land face down, the players can either flip again or leave those cards for the winner of the next round. The methods of play should be determined before play begins. Play continues until all the cards from the original stacks have been used, or until one player wins all the cards, or until the players agree to cease play. The duration of play should be agreed upon before play begins.

When three or more players want to compete, there are several variations of play. In the first variation, each player whose card lands face down loses and forfeits his card. If only one player's card lands face up, he wins all of the cards. Otherwise, the players whose cards have landed face up reflip their cards. This process continues to eliminate players until there is only one player left. That player is the winner of the round and all the cards played in that round. In the second variation, the winner is the player whose card does not match the other players. So, if there are three players and upon flipping their cards, two cards are face down and one card is face up, the player with the face up card wins the round and all the cards played in that round. Likewise, if two cards are face up and one card is face down, the face down card wins the round and all the cards played in that round. If all the players cards land face down in the original round, the players can either reflip the same cards, or leave those cards in the "ring" for the winner of the next round. The winner of that new round wins all the cards that are at stake. If all the cards land face up, then the players can either reflip or use the Ranking to determine the winner of the round. The method of play should be determined before play begins. If the Ranking method is used the player with the highest ranking or lowest number wins the round and all the cards played in that round. If a tie exists for the

highest ranking, then only those players who have tied either reflip the same cards or flip new cards. The winner is to be determined by reverting back to the original methods of play. For example if two players are left after the tie, then the card that lands face up is the winner of the round and all the cards. If both land face up then reflip or use rankings, etc. Again, the method of play should be determined before any play begins. Should a player run out of cards during a round, he may borrow cards from any other player or person who has a card and is willing to lend him a card. The player loaning the card(s) must be repaid should the player he is backing wins. That repayment must be the card(s) the loaner gave the borrower as well as a one card interest payment. The repayment is to be chosen by the loaner. If the player who borrows the card(s) loses, then the player who lent him the cards also loses. If no cards are lent to the cardless player, then all cards for that round are returned to their original owners. Also the card lent to the cardless player cannot be known by anyone. It must be picked at random from the loaner's hand who has his cards face down. Play is over when all the players agree to end the game, or one player runs out of cards, or one player wins all the cards. The method for duration of play should be determined before play begins.

In four or more player variation, teams having an equal number of players on each team may be chosen. Whichever team has all of their cards land in the same direction (face up/face down), while their opponents' cards do not - wins the round and all the cards in that round. If there is not a winner, the cards can either be reflippped or left in the ring to be won or lost in the next round.

One last variation that can be used no matter how many players are involved in play is to start with an equal number of cards in each player's stack. The won cards are to be placed aside into a winner's pile next to the winner of the round. When the player's stacks have been exhausted, the

player with the most cards in his winner's pile wins all the cards from all the winner's piles.

#### Wrestler's Duel:

Another method of use for the cards is called Wrestler's Duel. When play is between two players, each player should start with the same number of cards in their stacks, but this is not a necessity. The player places his stack face down in front of him so that no one can see the face of his cards, including the player himself. The cards can be initially arranged by the players, but cannot be rearranged once play has started. In this game, the players flip over their cards one-at-a-time from the top of their personal stacks revealing the ranking of their wrestler. The wrestler's ranking is found in the upper left hand corner of each card. The player with the card depicting the wrestler having the highest ranking (i.e. meaning lowest number) wins and captures his opponent's card. In the case of a tie, the players can either take back their cards and return them into their original, personal stacks in a random place or leave them in the ring to be won or lost in the next round. The game can end in these ways: 1) as cards are won, they are put in a pile next to the winner. After the original, personal stacks have been used, the player with the most cards in his winner's pile wins all the cards in both winner's piles. In the event that both winner's piles have the same number of cards, the players can either each choose one card at random and have a duel for all the cards by comparing the rankings on the chosen cards. Or the players can keep the cards in their winner's pile. 2) The players can continue to play from the winner's pile after their original, personal stacks have been exhausted. 3) or they can continue until one player wins all the cards. 4) or they can cease after a certain agreed upon period of time. 5) Or until both players agree to end the game. Again, the desired ending of play should be agreed to before play begins.

In a Tag Team variation of the previously explained two player version, if there is a tie, the original cards are left in the ring, then one more card is put into the ring face down by each player, and then a third card is flipped face up by each player. The rankings on the third cards are compared, determining the "King of the Ring" or the winner of all the cards in the ring. If another tie occurs, the procedure is repeated until a winner is determined. If a player runs out of cards during the play of a tie, the cards in the ring are returned to their original owners.

For three or more players single or Tag Team play can be used, the play is the same as with two players being that the player with the highest ranking (i.e. lowest number) wrestler wins and takes the cards played by the other players. In case of a tie, only the players involved in the tie and with the highest ranking continue to flip additional cards to win all the cards in that round.

#### Wrestler's Match:

Another method of using the cards is known as the Wrestler's Match. It can be played by two or more players. Each player plays with one card at-a-time in single match play, and two cards per match in "tag team" play. The players may predetermine how many matches will be played overall before actual play begins and therefore chose the appropriate number of cards to use for playing the game. The cards are not initially revealed to the other players. In addition to the cards, each player gets a pair of ten-sided dice, one black die and one yellow die with the numbers of 0 through 9 thereon. A scoring pad and a writing instrument, or a calculator, can also be used to record the score of each round as the match progresses.

Each player chooses the card he wishes to use from his personal stack that is to be played in the round, or two cards



in Tag Team play. The cards are chosen without revealing them to the other player(s). When the match begins, each player throws the card(s) he has chosen into the ring simultaneously. It is only at the time do both players know their opponent's card(s). On the face of each card in the upper right hand corner, next to the wrestler's name, is each wrestler's "Points of Pain" or "POP" rating. These ratings are arbitrarily assigned but portray the wrestler's overall ability to accept pain from the punishment he will receive from his opponent's successful attacks. In other words, it is the total amount of pain that the wrestler can absorb from his opponent before he loses the match. When a wrestler's 'pop' rating reaches zero or less (a negative number is arrived at after deducting the 'pop' of the attacking wrestler from the total pop rating of the attacked wrestler), the wrestler is subdued, pinned, and defeated. The wrestler with a zero or less rating does not get a counter attack. The match is over and the other player wins the match and all the cards used in the match. In the lower right hand corner of each card is a chart of different moves the wrestler can employ on his opponent. The moves represent the type of maneuvers that wrestler can perform in the ring to defeat his opponent. The move the wrestler employs also correlates to the amount of pain that move will from the wrestler using it will inflict on any opponent. The moves run from the typical slaps, punches, or kneelings to the exotic aerials, piledrivers, powerbombs, chair slams, table crunches, as well as each wrestler's signature move. All of these moves are well known to those skilled in the art. All of the wrestlers moves fall within the same range of 0-99, although each wrestler has different moves and ranges within the overall range of 0-99. Again, the different moves and ranges represent the strengths and weaknesses of the wrestler.

To choose the player that will begin play, each player will throw one die and the player with the highest number begins play. Before play begins, each player must designate

which of his die will represent the first number of all his throws and which die will represent the second. The game is played by alternating throws of the dice between players. Each throw of the dice indicates a number between 0 and 99 which corresponds to a wrestling move that the player's wrestler makes on his opponent. The corresponding number of 'pop' from the chart on the player's card is then subtracted from the opponent's total "POP". The first player who depletes the wrestler's total 'pop' of his opponent is the winner. For example, assume Player A's card was card 10 (i.e. John Doe) and Player B had card 12 (i.e. Joshua Doe). Player A on his first roll of the dice rolls a 60. Thus, the equivalent wrestling move to a 60 roll for John Doe is the 'Chair Slam' with a "POP" rating 25 as read off the "POP" chart 26 on card 10. On the score pad, the POP rating of 25 is subtracted from Joshua Doe's total POP rating of 290, leaving him with 265 POPs left. The players would then alternate rolling their dice until the total number of 'POP' ratings from the moves based on the rolls of Player A meets or exceeds Joshua Doe's total POP rating of 290 , or the total of the POP ratings of the moves based on Player B's meets or exceeds John Doe's total POP rating of 280. The player who first meets or exceeds his opponent's total POP rating wins the match and the cards.

A variation of play could be if a player rolls doubles (i.e. both dice have the same number), then that player gets another roll. If doubles is achieved a second time in a row, the POP rating for the move is doubled and deducted from the total POP of the opponent.

In Tag Team play, play is conducted as in singles play, but instead two cards of each player are laid face up in the ring for play. Each player chooses the card which is going to be played first before seeing his opponent's cards. To bring the other card into play (i.e. "tag" the wrestling partner), The player forfeits his roll at the time of the tag. A player

can "tag" as often as desired. A variation on Tag Team play is, after a roll is forfeited to bring the other card into play, 20 POP (or any number agreed upon between players before play begins) are added to the total POP of the wrestler leaving the ring to represent the "rest" he received while not wrestling. The match is over in one of two ways which the players involved in the match must agree upon before match play begins. Method one is when one of wrestlers of the team has a total POP rating of zero or less. He is considered 'pinned' and the match is over. The other player (who does not have any of his wrestlers having a total POP rating of zero or less) wins the match and all the cards. Method two is a wrestler is considered 'knocked out' when his total POP rating is zero or less. He does not regain any POP and never returns to play in that match. However, the second wrestler of the 'tag team' is still in play. It is only when both wrestlers of one team have a total POP rating of zero or less that the match is over and the winner is determined. The winner wins the match and all the cards used within that match. Total POP can never be traded or moved from one wrestler to the other wrestler of the 'tag team'.

If three or more people are playing the rules remain the same. Order of play is determined by the original roll of one die. The order will proceed from highest roll to lowest roll. In the event of a tie on the rolling for order of play, then the players who tied have a roll off to determine the order of those players. For example, there are four players who have rolled for order of play. Player A rolled a 9, Player B rolled a 2, Player C rolled a 4, and Player D rolled a 4. In the roll-off, Player C rolled a 1 and Player D roll a 9. The order of play would be Player A, then Player D, then Player C, then Player B. Player A and Player D are not considered to be tied for order of play because the order had been determined by the original roll. Likewise, Player C is still before Player B because of the original roll for order of play.

Thus, it can be seen from the foregoing specification and attached drawings that the card game and method of playing the same of the present invention provides an interesting and exciting means for simulating a wrestling match.

It is believed that the many advantages of this invention will be apparent to those skilled in the art. It will also be apparent that a number of variations and modifications may be made therein without departing from its spirit and scope. Accordingly, the foregoing description is to be construed as illustrative only, rather than limiting. This invention is limited only by the scope of the following claims.

Having thus described the invention, what is claimed is:

1. An apparatus for playing various competitive card games simulating wrestling matches, the apparatus comprising a plurality of playing cards, each card representing a specific wrestler and having indicia thereon representing various information about the wrestler, the information on the cards is used and compared during the playing of the competitive card games to determine a winner of the card games.

2. An apparatus for playing various competitive card games simulating wrestling matches in accordance with claim 1, wherein the information on each card includes an image of a specific wrestler thereon.

3. An apparatus for playing various competitive card games simulating wrestling matches in accordance with claim 1, wherein the information on each card includes a ranking of the specific wrestler represented thereon.

4. An apparatus for playing various competitive card games simulating wrestling matches in accordance with claim 1, wherein the information on each card includes a rating of total amount of punishment of the specific wrestler represented thereon can sustain.

5. An apparatus for playing various competitive card games simulating wrestling matches in accordance with claim 4, wherein the information on each card includes a rating of punishment of each move of the specific wrestler represented thereon can inflict on an opponent.

6. An apparatus for playing various competitive card games simulating wrestling matches in accordance with claim 1, wherein the information on each card includes a rating of

punishment of each move of the specific wrestler represented thereon can inflict on an opponent.

7. An apparatus for playing various competitive card games simulating wrestling matches in accordance with claim 1, wherein the information on each card includes statistics of the specific wrestler.

8. An apparatus for playing various competitive card games simulating wrestling matches in accordance with claim 1, wherein the statistics are chosen from a group consisting of height, weight, number of titles, bicep/tricep size, chest size and crowd appeal.

9. A method for playing various competitive card games simulating wrestling matches, the method comprising the steps of:

(a) providing a plurality of playing cards, each card representing a specific wrestler and having indicia thereon representing various information about the wrestler, the plurality of playing cards being separated into a number of stacks corresponding to players playing the game;

(b) selecting a card from the stack of each player; and

(c) comparing information on the selected cards to determine a winner of the card game.

10. A method for playing various competitive card games simulating wrestling matches in accordance with claim 9, wherein the information on each card includes an image of a specific wrestler thereon.

11. A method for playing various competitive card games simulating wrestling matches in accordance with claim 9, wherein the information on each card includes a ranking of the specific wrestler represented thereon.

12. A method for playing various competitive card games simulating wrestling matches in accordance with claim 11, wherein the rankings of the wrestlers represented on the selected cards are compared and the player with the card having the lowest ranking wins the cards of the other players.

13. A method for playing various competitive card games simulating wrestling matches in accordance with claim 9, wherein the information on each card includes a rating of total amount of punishment of the specific wrestler represented thereon can sustain.

14. A method for playing various competitive card games simulating wrestling matches in accordance with claim 13, wherein the information on each card includes a rating of punishment of each wrestling move of the specific wrestler represented thereon can inflict on an opponent.

15. A method for playing various competitive card games simulating wrestling matches in accordance with claim 14, wherein the comparing step includes each player sequentially selecting wrestling moves to be performed from the selected card of the player and subtracting the ratings of punishment of the selected wrestling moves from the ratings of total amount of punishment of the selected card of the other player until one of the players depletes the total amount of punishment of the other player.

16. A method for playing various competitive card games simulating wrestling matches in accordance with claim 9, wherein the information on each card includes a rating of punishment of each move of the specific wrestler represented thereon can inflict on an opponent.

17. A method for playing various competitive card games simulating wrestling matches in accordance with claim 9, wherein the information on each card includes statistics of the specific wrestler.

18. A method for playing various competitive card games simulating wrestling matches in accordance with claim 17, wherein the statistics are chosen from a group consisting of height, weight, number of titles, bicep/tricep size, chest size and crowd appeal.

19. A method for playing various competitive card games simulating wrestling matches in accordance with claim 18, wherein during the comparison step, at least one of the statistics of the wrestlers represented on the selected cards

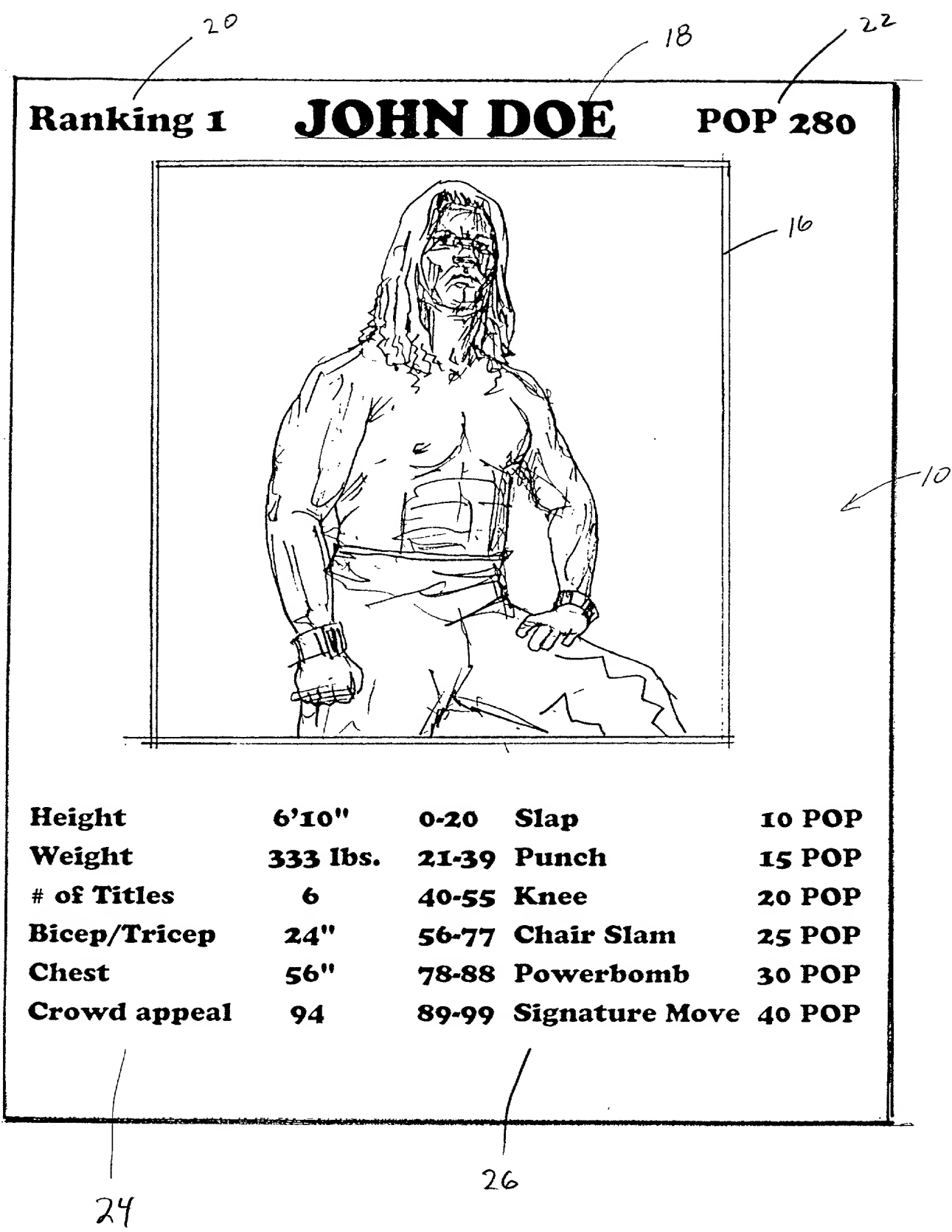


are compared and the player with the card having the highest statistic wins the cards of the other players.

20. A method for playing various competitive card games simulating wrestling matches in accordance with claim 17, wherein during the comparison step, at least one of the statistics of the wrestlers represented on the selected cards are compared and the player with the card having the highest statistic wins the cards of the other players.

## **ABSTRACT OF THE DISCLOSURE**

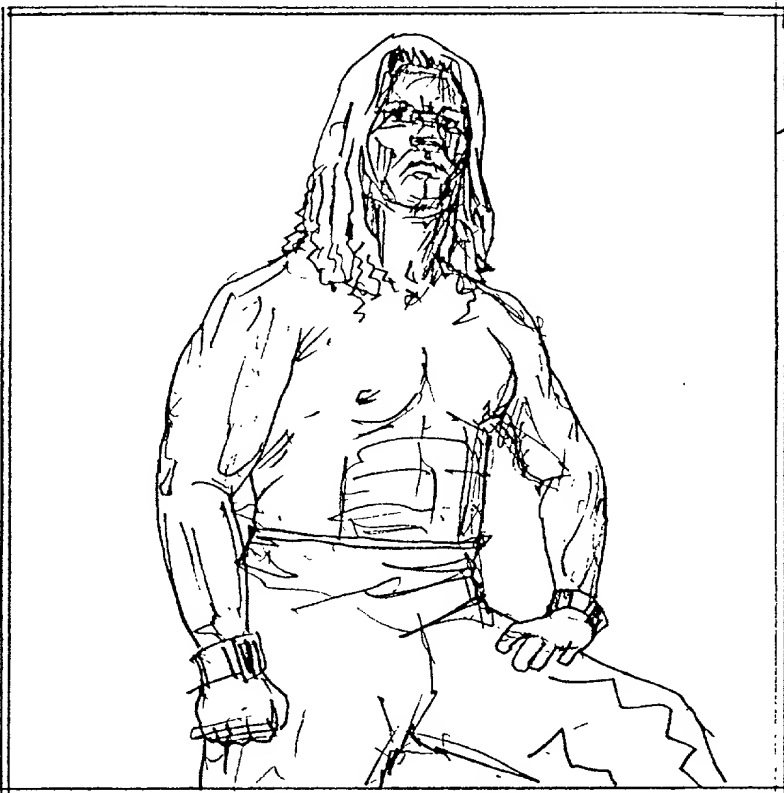
A card game uses game cards having various indicia thereon used to simulate a wrestling match. The indicia can be statistics and rankings of the wrestlers which are compared by the players during the course of the game. The indicia can also be POP or Points of Pain for each wrestler and the moves or maneuvers of each wrestler which are used during the course of the game. The game cards can also have an image of wrestlers thereon.



**Ranking 1**

**JOHN DOE**

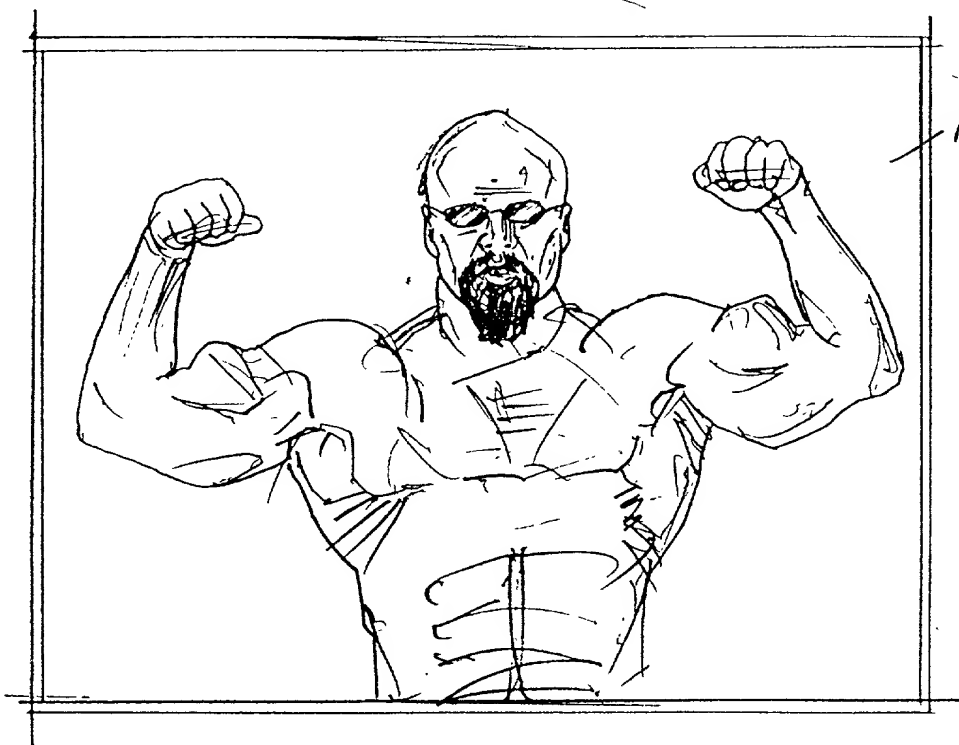
**POP 280**



<b>Height</b>	<b>6'10"</b>	<b>0-20</b>	<b>Slap</b>	<b>10 POP</b>
<b>Weight</b>	<b>333 lbs.</b>	<b>21-39</b>	<b>Punch</b>	<b>15 POP</b>
<b># of Titles</b>	<b>6</b>	<b>40-55</b>	<b>Knee</b>	<b>20 POP</b>
<b>Bicep/Tricep</b>	<b>24"</b>	<b>56-77</b>	<b>Chair Slam</b>	<b>25 POP</b>
<b>Chest</b>	<b>56"</b>	<b>78-88</b>	<b>Powerbomb</b>	<b>30 POP</b>
<b>Crowd appeal</b>	<b>94</b>	<b>89-99</b>	<b>Signature Move</b>	<b>40 POP</b>

FIG. 1

Ranking 2 **JOSHUA DOE** POP 290



Height	7' 10"	0-25	Slap	10 POP
Weight	510 lbs.	26-50	Punch	15 POP
# of Titles	3	51-60	Knee	20 POP
Bicep/Tricep	24"	61-92	Powerbomb	30 POP
Chest	56"	93-99	Signature Move	40 POP
Crowd appeal	95			

FIG. 2

Ranking 3

JOEY DOE

POP 265

Height	6'2"	0-8	0 POP
Weight	245 lbs.	9-23 Slap	10 POP
# of Titles	0	24-62 Punch	15 POP
Bicep/Tricep	21"	63-72 Aerial Move	25 POP
Chest	58"	73-88 Table Crunch	30 POP
Crowd appeal	97	89-99 Signature Move	40 POP

24

26

FIG. 3

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**COMBINED DECLARATION AND POWER OF ATTORNEY**

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

---

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

(check one applicable item below)

☒ original.

☐ design.

NOTE: With the exception of a supplemental oath or declaration submitted in a reissue, a supplemental oath or declaration is not treated as an amendment under 37 CFR 1.312 (Amendments after allowance). M.P.E.P. § 714.16, 7th Edition.

☐ supplemental.

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

☐ national stage of PCT.

NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.

NOTE: See 37 C.F.R. § 1.63(d) (continued prosecution application) for use of a prior nonprovisional application declaration in the continuation or divisional application being filed on behalf of the same or fewer of the inventors named in the prior application.

☐ divisional.

☐ continuation.

NOTE: Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. § 1.53(b) (application filing requirements — nonprovisional application).

☐ continuation-in-part (C-I-P).

**INVENTORSHIP IDENTIFICATION**

**WARNING:** If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

METHOD AND APPARATUS FOR CARD GAME

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(Declaration and Power of Attorney [1-1]—page 1 of 7)

## SPECIFICATION IDENTIFICATION

the specification of which:

(complete (a), (b), or (c))

(a) ☒ is attached hereto.

NOTE: "The following combinations of information supplied in an oath or declaration filed on the application filing date with a specification are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:

"(1) name of inventor(s), and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration on filing;

"(2) name of inventor(s), and attorney docket number which was on the specification as filed;  
or

"(3) name of inventor(s), and title which was on the specification as filed."

Notice of July 13, 1995 (1177 O.G. 60).

(b) ☐ was filed on \_\_\_\_\_, as ☐ Serial No. 0 / \_\_\_\_\_  
or ☐ \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. § 1.67.

NOTE: "The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR 1.63:

"(A) application number (consisting of the series code and the serial number, e.g., 08/123,456);

"(B) serial number and filing date;

"(C) attorney docket number which was on the specification as filed;

"(D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or

"(E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration."

M.P.E.P. § 601.01(a), 7th Ed.

(c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_, filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

## **SUPPLEMENTAL DECLARATION (37 C.F.R. § 1.67(b))**

*(complete the following where a supplemental declaration is being submitted)*

- ☐ I hereby declare that the subject matter of the
- ☐ attached amendment
  - ☐ amendment filed on \_\_\_\_\_

was part of my/our invention and was invented before the filing date of the original application, above-identified, for such invention.

## **ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56,

*(also check the following items, if desired)*

- ☐ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and
- ☐ in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. § 1.98.

## **PRIORITY CLAIM (35 U.S.C. §§ 119(a)-(d))**

**NOTE:** "The claim to priority need be in no special form and may be made by the attorney or agent if the foreign application is referred to in the oath or declaration as required by § 1.63. The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. 119(b) must be filed in the case of an interference (§ 1.630), when necessary to overcome the date of a reference relied upon by the examiner, when specifically required by the examiner, and in all other situations, before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by a petition requesting entry and by the fee set forth in § 1.17(i). If the certified copy is not in the English language, a translation need not be filed except in the case of interference; or when necessary to overcome the date of a reference relied upon by the examiner; or when specifically required by the examiner, in which event an English language translation must be filed together with a statement that the translation of the certified copy is accurate." 37 C.F.R. § 1.55(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

*(complete (d) or (e))*

- (d) ☐ no such applications have been filed.
- (e) ☐ such applications have been filed as follows.

**NOTE:** Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.



**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
(34 U.S.C. § 119(e))

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**

**FILING DATE**

60 / 208,532  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

June 1, 2000  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CLAIM FOR BENEFIT OF EARLIER US/PCT APPLICATION(S)**  
**UNDER 35 U.S.C. § 120**

- ☐ The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART (C-I-P) APPLICATION.

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

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NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete **ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION** for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

**POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

*(list name and registration number)*

*(check the following item, if applicable)*

- ☒ I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.
- ☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

NOTE: "Special care should be taken in continuation or divisional applications to ensure that any change of correspondence address in a prior application is reflected in the continuation or divisional application. For example, where a copy of the oath or declaration from the prior application is submitted for a continuation or divisional application filed under 37 CFR 1.53(b) and the copy of the oath or declaration from the prior application designates an old correspondence address, the Office may not recognize, in the continuation or divisional application, the change of correspondence address made during the prosecution of the prior application. Applicant is required to identify the change of correspondence address in the continuation or divisional application to ensure that communications from the Office are mailed to the current correspondence address. 37 CFR 1.63(d)(4)." § 601.03, M.P.E.P., 7th Edition.

SEND CORRESPONDENCE TO  
K. Bradford Adolphson

☒ Address  
Ware, Fressola, Van der Sluys &  
Adolphson LLP  
755 Main Street, P.O. Box 224  
Monroe, CT 06468

☒ Customer Number 004955

DIRECT TELEPHONE CALLS TO:  
*(Name and telephone number)*

K. Bradford Adolphson  
(203) 261-1234

*(complete the following if applicable)*

Since this filing is a ☐ continuation ☐ divisional there is attached hereto a Change of Correspondence Address so that there will be no question as to where the PTO should direct all correspondence.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NOTE: *Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(a)(3) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997,*

Edmund A. Gress  
(GIVEN NAME) (MIDDLE INITIAL OR NAME) FAMILY (OR LAST NAME)  
Inventor's signature Edmund A. Gress  
Date 10-20-00 Country of Citizenship U.S.  
Residence Norwalk, Connecticut  
Post Office Address 1 Linden Street, Unit C-6  
Norwalk, CT 06851

(GIVEN NAME)	(MIDDLE INITIAL OR NAME)	FAMILY (OR LAST NAME)
Inventor's signature _____		
Date _____		Country of Citizenship _____
Residence _____		
Post Office Address _____		

_____ (GIVEN NAME)	_____ (MIDDLE INITIAL OR NAME)	_____ FAMILY (OR LAST NAME)
Inventor's signature _____		
Date _____ Country of Citizenship _____		
Residence _____		
Post Office Address _____		

(check proper box(es) for any of the following added page(s)  
that form a part of this declaration)

- ☐ **Signature** for fourth and subsequent joint inventors. *Number of pages added* \_\_\_\_\_

\* \* \*

- ☐ **Signature** by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. *Number of pages added* \_\_\_\_\_

\* \* \*

- ☐ **Signature** for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. *Number of pages added* \_\_\_\_\_

\* \* \*

- ☐ Added page for **signature** by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 CFR 1.47)

\* \* \*

- ☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.

☐ Number of pages added \_\_\_\_\_

\* \* \*

- ☐ Authorization of practitioner(s) to accept and follow instructions from representative.

\* \* \*

(if no further pages form a part of this Declaration,  
then end this Declaration with this page and check the following item)

- ☒ This declaration ends with this page.